

1 Introduced by the Council President at the request of the Office of
2 General Counsel and amended by the Rules Committee:

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5 **ORDINANCE 2026-459-E**

6 AN ORDINANCE APPROVING, RATIFYING, AND
7 AUTHORIZING THE EXECUTION OF A SETTLEMENT
8 AGREEMENT BETWEEN THE CITY OF JACKSONVILLE AND
9 DAVID WASHINGTON, CASE NO. 3:25-CV-00404-MMH-
10 SJH, UNITED STATES DISTRICT COURT FOR THE
11 MIDDLE DISTRICT OF FLORIDA AND 2024-AP-000023-
12 AXXX-MA, FOURTH JUDICIAL CIRCUIT, DUVAL
13 COUNTY, FLORIDA; APPROPRIATING \$180,000 FROM
14 GENERAL FUND OPERATING FUND (OPERATING
15 RESERVES) TO THE GENERAL FUND OPERATING FUND
16 (JUDGMENTS, CLAIMS, AND LOSSES OVER \$50,000)
17 TO PROVIDE FUNDING FOR SETTLEMENT OF PENDING
18 LITIGATION, AS INITIATED BY B.T. 26-073;
19 AUTHORIZING THE GENERAL COUNSEL, OR HIS
20 DESIGNEE, TO EXECUTE THE SETTLEMENT AGREEMENT
21 AND TAKE FURTHER ACTION, AS NECESSARY, TO
22 EFFECTUATE THE SETTLEMENT AND CONCLUDE THE
23 LITIGATION; WAIVING THE PROVISIONS OF SECTION
24 106.303 (FORMAT AND DETERMINATION OF AMOUNTS
25 APPROPRIATED), SUBPART A (GENERAL PROVISIONS),
26 PART 3 (APPROPRIATIONS), CHAPTER 106 (BUDGET
27 AND ACCOUNTING CODE), *ORDINANCE CODE*, TO ALLOW
28 MODIFICATION OF THE APPROPRIATION OF FUNDS
29 EXHIBIT TO FACILITATE COMPLIANCE WITH THE
30 REQUIREMENTS OF THE AMERICANS WITH
31 DISABILITIES ACT; PROVIDING AN EFFECTIVE DATE

1 OF THIS ORDINANCE.

2
3 **WHEREAS,** David Washington ("Washington") was formerly
4 employed as a Rescue Lieutenant with the Jacksonville Fire and
5 Rescue Department ("JFRD");

6 **WHEREAS,** Washington was arrested in April 2024 for a felony
7 charge and misdemeanor charges, and JFRD issued Washington a notice
8 of immediate suspension without pay pending termination;

9 **WHEREAS,** Washington's felony charge was not pursued by the
10 State Attorney's Office, but JFRD continued to pursue termination
11 due to the nature of Washington's conduct leading to the April 2024
12 arrest;

13 **WHEREAS,** Washington attempted to appeal the proposed
14 termination to the Civil Service Board ("CSB"), but the CSB
15 dismissed the appeal due to untimeliness;

16 **WHEREAS,** Washington filed a lawsuit in state court (2024-AP-
17 000023-AXXX-MA) challenging the CSB decision;

18 **WHEREAS,** Washington additionally filed a lawsuit in federal
19 court (3:25-cv-00404-MMH-SJH) alleging his termination was based on
20 his race and citing comparator evidence in support of his
21 allegation;

22 **WHEREAS,** the City by virtue of entering into a settlement
23 agreement is not admitting wrongdoing;

24 **WHEREAS,** after engaging in a thorough discovery process, it is
25 in the best interest of the City and the public that this lawsuit
26 be resolved without further litigation and litigation-related costs
27 and expenses; now therefore

28 **BE IT ORDAINED** by the Council of the City of Jacksonville:

29 **Section 1. Recitals.** The recitals above are incorporated
30 herein by this reference.

31 **Section 2. Appropriation.** For the 2026-2027 fiscal year,

1 within the City's budget, there is hereby appropriated the
2 indicated sum from the account listed in subsection (a) to the
3 account listed in subsection (b):

4 (B.T. 26-073, attached hereto as **Exhibit 2** and incorporated herein
5 by this reference.)

6 (a) Appropriated from:

7 See B.T. 26-073 \$180,000

8 (b) Appropriated to:

9 See B.T. 26-073 \$180,000

10 (c) Explanation of Appropriation - The funding above is an
11 appropriation from the General Fund Operating Fund
12 (Operating Reserves) to the General Fund Operating Fund
13 (Judgments, Claims, and Losses over \$50,000), to pay
14 funds in settlement of the above-referenced pending
15 litigation.

16 **Section 3. Approval and Ratification of Settlement**
17 **Agreement.** The City Council hereby approves and ratifies the
18 Settlement Agreement between the City of Jacksonville and David
19 Washington in the form attached hereto as **Exhibit 1** and
20 incorporated herein.

21 **Section 4. Execution of Agreement and Further Action**
22 **Authorized.** The General Counsel, or his designee, is hereby
23 authorized to execute and deliver, for and on behalf of the City,
24 the Settlement Agreement, and to take such further action necessary
25 to effectuate the approved and ratified Settlement Agreement.

26 **Section 5. Waiving the Provisions of Section 106.303,**
27 **Ordinance Code.** Section 106.303 (Format and determination of
28 amounts appropriated), Subpart A (General Provisions), Part 3
29 (Appropriations), Chapter 106 (Budget and Accounting Code),
30 *Ordinance Code*, is hereby waived. This waiver is necessary to
31 allow the modification of the Appropriation of Funds Exhibit to be

1 in the form attached hereto as **Exhibit 2**, in order to facilitate
2 compliance with the requirements of the American with Disabilities
3 Act. B.T. 26-073 in the form authorized pursuant to Ordinance 2015-
4 428-E and reflecting the Mayor's approval can be found on file with
5 the Budget Office.

6 **Section 6. Effective Date.** This Ordinance shall become
7 effective upon signature by the Mayor or upon becoming effective
8 without the Mayor's signature.

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10 Form approved:

11
12 /s/ Mary E. Staffopoulos

13 Office of General Counsel

14 Legislation Prepared By: Rita M. Mairs

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